

REMARKS

The disclosure of the invention stands objected to for informalities. In response, Applicant has amended the disclosure of the invention according to the Examiner's suggestions. Accordingly, Applicant respectfully requests withdrawal of the objection to the disclosure.

Applicant appreciates the Examiner's indication that Claim 1 would be allowable if amended as suggested by the Examiner on page 7, paragraph 7, of the February 22, 2008 Office Action. Applicant has added new independent Claim 15 and associated dependent Claims 16-21 to define this allowable subject matter. Accordingly, Applicant respectfully requests an indication of the allowance of new Claims 15-21.

Claims 1, 3, 8, 13, and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over JP 11-001105 in view of United States Patent No. 5,355,922 to Kogure et al. and United States Patent Application Publication No. 2005/0061410 to Meyer. Applicant has cancelled Claims 3 and 14, without prejudice, thereby rendering this rejection moot with respect to these claims. However, with respect to Claims 1, 8, and 13, Applicant respectfully traverses this rejection.

The object of the invention of JP '105 is to reduce any difference in lateral force variation between the left and the right side wheels, and to improve the straight-running stability. This object of JP '105 differs from the object of the present invention, which is to obtain improvements relating to uneven wear and turning performance in such service conditions where large turning forces tend to occur, such as in circuit running.

As the Examiner points out, JP '105 contains a disclosure regarding suppressing uneven wear, and in order to do so, it is required to set the ground-contact load bearing deviation index R to be not smaller than 0.3, which is to say, JP '105 teaches suppressing uneven wear by using the four factors of distance α , a land portion reducing ratio β , a lug depth ratio γ and a circumferential groove inclination angle θ . However, JP '105 does not teach or suggest that uneven wear can be suppressed by using only the depth d (the distance α).

According to JP '105, the surface 18A of the tread land portion 18 is formed by a curve, which is different from the present invention, according to which the tread land portion is formed by connecting circular arcs having different radii. Also, JP '105 contains no reference to the feature of the present invention that the ratio d/D is within a range of 0.02 to 0.1. Furthermore, with respect to other features of the present invention, such that the ratio d/W is within the range of 0.01-0.15 and that the ratio $R1/R2$ is within a range of 2-10, again, JP '105 does not contain a disclosure of such features. Thus, Applicant respectfully submits that JP '105 does not disclose or suggest the claimed invention.

The Kogure et al. reference was only relied upon for disclosing a groove depth, and not for the other features mentioned above. Thus, the Kogure et al. reference does not remedy the deficiencies in JP '105 discussed above.

The object of the Meyer et al. reference is to improve braking, handling and noise performance, which differs from the object of the present invention mentioned above. Further, the Meyer et al. reference only teaches using circular arcs having different radii of

curvature to form the profile of the tread surface such that the radii of curvature decrease from the tread center toward the tread ends, but the Meyer et al. reference teaches none of the main arrangements and effects or results of the present invention.

Applicant respectfully submits that JP '105 and the Meyer et al. reference each have different objects and effects from those of the present invention, and that even combining JP '105 and the Meyer et al. reference with the Kogure et al. reference does not result in the disclosure or suggestion of the present invention. Further, Applicant respectfully submits there is no motivation to combine JP '105 with the Meyer et al. reference due to their different objects. Accordingly, for at least these reasons, Applicant respectfully requests the withdrawal of this §103 rejection.

Claims 2 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over JP '105 in view of Kogure et al. and Meyer et al., and further in view of EP 728599. Claims 2 and 9 have been cancelled, without prejudice, thereby rendering this rejection moot with respect to these claims. The subject matter of Claim 2 has been added into independent Claim 1, and therefore Applicant will traverse this rejection as it applies to Claim 1.

Applicant respectfully requests the withdrawal of this §103 rejection for the reasons discussed above with regard to independent Claim 1, and also because EP 599 does not remedy the deficiencies discussed above, but instead EP '599 only discloses a groove width. Thus, Applicant respectfully requests the withdrawal of this §103 rejection.

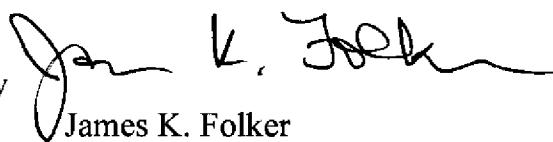
Claims 4-7 and 10-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over JP '105 in view of Kogure et al. and Meyer and further in view of EP

1074405. Claims 10-12 have been cancelled, without prejudice, thereby rendering this rejection moot with respect to these claims. However, with respect to Claims 4-7, Applicant respectfully traverses the rejection.

Claims 4-7 all depend, directly or indirectly, from independent Claim 1, and therefore include all of the features of Claim 1, plus additional features. Accordingly, Applicant respectfully requests that this §103 rejection of dependent Claims 4-7 be withdrawn considering the above remarks directed to independent Claim 1, and also because EP '405 does not remedy the deficiencies discussed above.

For all of the above reasons, Applicant requests reconsideration and allowance of the claimed invention. Should the Examiner be of the opinion that a telephone conference would aid in the prosecution of the application, or that outstanding issues exist, the Examiner is invited to contact the undersigned.

Respectfully submitted,
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